

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MAY 6, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-33576 – APPLICANT/OWNER: GATEWAY MOTEL INC.**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan date stamped 03/16/09 and building elevations date stamped 03/10/09, except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan Requirements to allow a zero-foot landscape setback where a 10-foot landscape setback is required for the parking structure adjacent to 4<sup>th</sup> Street.
4. The existing Off-Premise Advertising (Billboard) Sign shall be removed prior to issuance of building permits.
5. All signage shall adhere to the Las Vegas Boulevard Scenic Byway Signage Overlay Standards.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Coordinate with the City Surveyor to determine if a Reversionary Map or other acceptable mapping method is required; comply with the recommendations of the City Surveyor.
17. Dedicate appropriate right-of-way for a bus turnout on Charleston Boulevard per Uniform Standard Drawings 234.1 and 234.3 prior to the issuance of permits. No construction of the bus turnout is required at this time.
18. Grant a 25-foot radius Traffic Signal Control Chord Easement at the northwest corner of Las Vegas Boulevard and Charleston Boulevard prior to the issuance of any permits.

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting Downtown Centennial Plan Standards concurrent with development of this site.
20. The minimum vertical clearance over the existing 20-foot wide public sewer easement shall be 20 feet. Maintain a drivable access within the easement. Alternatively, re-route the public sewer at a depth and location acceptable to the Collection System Planning Section of the Department of Public Works, provide appropriate new easements, and vacate the existing public sewer easement prior to the issuance of any building permits for this site.
21. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. As appropriate, submit an Encroachment Agreement to the City of Las Vegas and/or obtain an Occupancy Perm it from the Nevada Department of Transportation for all landscaping and private improvements in the [Charleston Boulevard](#) public right-of-way adjacent to this site.
23. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed four-story, 45-foot tall, 114-room hotel and 2,964 square feet of commercial space with a Waiver of the Downtown Centennial Plan Requirements to allow a zero-foot landscape setback where 10 feet is the minimum required on 1.23 acres adjacent to the northwest corner of Charleston Boulevard and Las Vegas Boulevard.

The applicant meets the overall intent of the Downtown Centennial Plan Requirements, with the exception of a Waiver request to allow a zero-foot landscape setback adjacent to the parking structure on 4<sup>th</sup> Street. The Downtown Centennial Plan requires all parking structures to incorporate retail into the ground floor. If ground floor retail is not provided, a 10-foot landscape setback is required. The ground floor retail was relocated from 4<sup>th</sup> Street to the ground floor of the building, which is located adjacent to Charleston Boulevard and Las Vegas Boulevard. The Waiver can be supported as the retail is more appropriate along Las Vegas Boulevard. The proposed development is consistent with the Downtown Centennial Plan and Title 19 requirements, as conditioned; therefore staff recommends approval of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/16/01	The City Council approved a Special Use Permit (U-0028-01) for a proposed 45-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 928 Las Vegas Boulevard South. The Planning Commission and staff recommended denial of the application.
08/07/02	The City Council approved a Required One-Year Review [U-0028-01(1)] of an approved Special Use Permit (U-0028-01) which allowed a 45-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign located at 928 Las Vegas Boulevard South. The Planning Commission and staff recommended denial of the application.
11/19/03	The City Council approved a Required One-Year Review (RQR-3024) of an approved Special Use Permit (U-0028-01) which allowed a 45-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign located at 928 Las Vegas Boulevard South. The Planning Commission and staff recommended denial of the application.
12/15/04	The City Council approved a Required One-Year Review (RQR-5247) of an approved Special Use Permit (U-0028-01), which allowed a 45-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign located at 928 Las Vegas Boulevard South. The Planning Commission and staff recommended denial of the application.

01/04/05	A Code Enforcement complaint (#24884) was processed for multiple heating and cooling violations at 928 Las Vegas Boulevard South. The issue was resolved on 11/08/07.
06/29/05	A Code Enforcement complaint (#32050) was processed for an Off-Premise (Billboard) Sign, which violated conditions of approval from an approved Special Use Permit (U-0028-01) adjacent to the northwest corner of Charleston Boulevard and Las Vegas Boulevard. The issue was resolved on 12/21/05.
09/07/05	The City Council approved a Review of Condition (ROC-7358) number one of an approved Required One Year Review (RQR-5247) to allow no illuminated neon on an existing Off-Premise Advertising (Billboard) Sign in the Las Vegas Boulevard Scenic Byway Overlay District where at least 75 percent of the total sign surface is required to contain neon at 928 Las Vegas Boulevard South. Staff recommended denial of the application.
09/22/05	The Planning Commission approved a request for a Variance (VAR-8496) to allow an existing Off-Premise Advertising (Billboard) Sign with less than 75% neon or animated illumination to be located within the Las Vegas Boulevard Scenic Byway Overlay District adjacent to the northwest corner of Charleston Boulevard and Las Vegas Boulevard. Staff recommended denial of the application.
01/03/07	The City Council tabled a Required One-Year Review (RQR-17518) of an approved Special Use Permit (U-0028-01), which allowed a 40-foot high, 24-foot x 28-foot Off-Premise Advertising (Billboard) Sign located at 928 Las Vegas Boulevard South. The item was tabled due to a moratorium on Off-Premise Advertising (Billboard) Signs. Staff recommended denial, but the Planning Commission recommended approval of the application.
03/11/08	A Code Enforcement complaint (#63151) was processed for illegal temporary signage at 928 Las Vegas Boulevard South. The issue was resolved on 03/21/08.
11/25/08	A Preliminary Parcel Map (PMP-32137) was submitted for technical review of a Parcel Map on 1.22 acres located at 928 South Las Vegas Boulevard (APN 139-34-410-165 and 139) on 11/25/08, but has not been recorded.
12/17/08	The City Council approved Required One-Year Review (RQR-29727) of an approved Special Use Permit (U-0028-01) for a 40-foot tall, 24-foot x 28-foot Off-Premise Advertising (Billboard) Sign located at 928 Las Vegas Boulevard South. Staff recommended denial, but the Planning Commission recommended approval of the application.
02/04/09	The City Council approved a General Plan Amendment (GPA-32129) to amend a portion of the Southeast Sector Plan of the General Plan from MXU (Mixed Use) to C (Commercial) on 0.55 acres at 928 South Las Vegas Boulevard. The Planning Commission and staff recommended approval of the application.
04/09/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #50/bts).

<b><i>Related Building Permits/Business Licenses</i></b>	
1931	The County Assessor's Office indicates a construction date of 1931 for the building located at 928 South Las Vegas Boulevard.
11/22/82	A Business License (#M08-00032) was issued for a motel at 928 South Las Vegas Boulevard. A change of ownership was approved on 12/08/97 to Gateway Motel, Inc. from Mao, Co. The license remains active.
09/09/95	A Building Permit (#94347266) was issued to re-roof the existing building at 928 South Las Vegas Boulevard. The permit expired on 03/11/95.
12/04/95	A Building Permit (#95883638) was issued for a water heater. The permit was never finalized and expired on 06/01/96.
07/18/01	A Building Permit (#1013065) was issued for an Off-Premise Advertising (Billboard) Sign located at 928 South Las Vegas Boulevard. The permit was finalized on 09/24/01.
<b><i>Pre-Application Meeting</i></b>	
02/09/09	Staff met with the applicant and reviewed the requirements for a Site Development Plan Review application.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application nor was one held.	
<b><i>Field Check</i></b>	
03/11/09	A field check was completed on the indicated date. There is an existing motel on the subject site. Also, an Off-Premise Advertising (Billboard) Sign is located on the subject site. The motel is currently in operation and is in an acceptable working condition.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	1.23 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Motel	C (Commercial)	C-2 (General Commercial)
North	Restaurant	MXU (Mixed Use)	C-2 (General Commercial)
South	Convenience Store and Gas Station	C (Commercial)	C-2 (General Commercial)
East	Financial Institution and Offices	MXU (Mixed Use) and C (Commercial)	C-2 (General Commercial)
West	Apartments and Offices	MXU (Mixed Use)	C-2 (General Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b><i>Special Area Plan</i></b>			
Downtown Centennial Plan	X		N*

<i><b>Special Districts/Zones</b></i>	<i><b>Yes</b></i>	<i><b>No</b></i>	<i><b>Compliance</b></i>
<b>Special Purpose and Overlay Districts</b>			
Downtown Overlay District – 18b The Las Vegas Arts District	X		N*
Live/Work Overlay District	X		N/A
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
<b>Trails</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**Redevelopment Plan Area** – The subject site is located within the boundaries of the Las Vegas Redevelopment Plan Area. The proposed use is in conformance with the Redevelopment Plan goals and policies.

**Downtown Overlay District** – The subject site is located within the boundaries of a Downtown Overlay District. Specifically, the site is located within the 18b The Las Vegas Arts District of the Downtown Centennial Plan. The proposed development meets the overall intent of the 18b The Las Vegas Arts District of the Downtown Centennial Plan.

**Live/Work Overlay District** – The subject site is located within the boundaries of the Live/Work Overlay District. The applicant is not proposing a Live/Work development.

**Las Vegas Boulevard Scenic Byway Overlay District** – The subject site is located within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay District. Title 19.06 Special Purpose and Overlay Districts require that all development within the Las Vegas Boulevard Scenic Byway Overlay District, at least 75% of the total sign surface areas for that development must consist of illuminated signage, in the form of neon sign, animated signs, or a combination thereof. A condition of approval has been added, which will require compliance with this requirement, upon issuance of a building permit for all on-site signage.

**Scenic Byway Trail** - The subject site is adjacent to the Scenic Byway Trail. The Scenic Byway Trail was adopted as a part of the General Plan Amendment (GPA-5015) in November of 2004. This Urban Trail is located along both sides of Las Vegas Boulevard between Washington Avenue and Sahara Avenue.

## DEVELOPMENT STANDARDS

**Pursuant to the Downtown Centennial Plan, the following development standards apply to the subject proposal:**

<i><b>Standard</b></i>	<i><b>Required/Allowed</b></i>	<i><b>Provided</b></i>	<i><b>Compliance</b></i>
Min. Lot Size	N/A	1.23 ac	Y
Min. Lot Width	100 feet	167 feet	Y

Min. Setbacks			
• Front (Las Vegas Boulevard - East)	20 feet	10 feet	N*
• Side (North)	10 feet	0 feet	N*
• Corner (Charleston Boulevard – South)	15 feet	20 feet	Y
• Rear (West)	20 feet	0 feet	N*
Max. Lot Coverage	50%	55%	N*
Max. Building Height	N/A	45 feet	Y
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

\*Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements and standard parking requirements.

**Pursuant to the Downtown Centennial Plan, the following streetscape standards apply:**

<i><b>Streetscape Standards</b></i>	<i><b>Required</b></i>	<i><b>Provided</b></i>	<i><b>Compliance</b></i>
North/South Street (Las Vegas Boulevard and 4 <sup>th</sup> Street)	Deglet-Noor Date Palms or similar type palms 25 feet in height and spaced 30 feet on center	Deglet-Noor Date Palms or similar type palms 25 feet in height and spaced 30 feet on center	Y
East/West Streets (Charleston Boulevard)	Southern Live Oak, Shoestring Acacia, African Sumac, Ash or Pistache shade trees 36-inch box trees at 15 to 20-foot intervals	Nine African Sumac 36-inch box trees at 15-foot intervals.	Y
Right-of-Way Improvements (Las Vegas Boulevard)	Five-foot amenity zone and a 10-foot wide unobstructed sidewalk	Five-foot amenity zone and a 10-foot wide unobstructed sidewalk	Y
Right-of-Way Improvements (Charleston Boulevard)	Five-foot amenity zone and a 10-foot wide unobstructed sidewalk	Five-foot amenity zone and a 10-foot wide unobstructed sidewalk	Y
Existing - Right-of-Way Improvements (4 <sup>th</sup> Street)	Five-foot amenity zone and a 10-foot wide unobstructed sidewalk	Five-foot amenity zone and a 10-foot wide unobstructed sidewalk	Y

The applicant complies with all Downtown Centennial Plan Streetscape Standards



***Pursuant to Title 19.10, the following parking standards apply:***

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel, Motel or Hotel Suites	114 Rooms	1 Space/1 Room	114				
General Retail, Other than Listed	2,964 SF	1 Space/175 SF	17				
SubTotal			131	5	117	5	N*
TOTAL			136		122		N*

\* The applicant is deficient by a total of 14 parking spaces or approximately 10% pursuant to Title 19.10 requirements. Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan Review.

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow no landscape setback for the parking structure adjacent to 4 <sup>th</sup> Street	Parking structures shall have ground level retail, office and/or restaurant space. Where parking structures do not incorporate ground level retail, office and/or restaurant space a 10-foot landscaped setback is required	Approval

## ANALYSIS

- Land Use and Zoning**

The subject site is located within the Southeast Sector Plan of the General Plan with a land use designation of C (Commercial). The C (Commercial) category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) General Plan land use categories.

The subject site consists of two parcels, which are both zoned C-2 (General Commercial). The C-2 (General Commercial) district is designed to provide the broadest scope of compatible services for both the general and traveling public. The category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as Mixed-Use developments. This district should be located away from

low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 (General Commercial) district is also appropriate along commercial corridors. The C-2 (General Commercial) district is consistent with the existing C (Commercial) General Plan land use designation. The proposed Hotel and retail uses are permitted within a C-2 (General Commercial) zoning district.

- **Site Plan**

The site is located on the northwest corner of Charleston Boulevard and Las Vegas Boulevard, both are indicated as 100-foot Primary Arterials as defined by the Master Plan of Streets and Highways. The overall site consists of two parcels, which total 1.23 acres. Primary access to the site is provided via Las Vegas Boulevard, which provides ingress and egress to the ground level and parking structure. Secondary access is provided from 4<sup>th</sup> Street, an 80-foot Secondary Collector, and an alley way located on the southwest corner of the subject site. The alleyway is indicated as an access point for utilities only. The proposed building includes 114 hotel rooms and 2,964 square feet of retail space. The retail portion of the site fronts onto the northwest corner of Charleston Boulevard and Las Vegas Boulevard.

The Downtown Centennial Plan requires a five-foot amenity zone and a 10-foot sidewalk along both Charleston Boulevard and Las Vegas Boulevard. The applicant has provided a five-foot amenity zone and a 10-foot sidewalk along Charleston Boulevard and Las Vegas Boulevard, thereby complying with all required Downtown Centennial Plan Streetscape Standards.

A bus turn-out is also identified on the site plan, which is adjacent to the southeast portion of the subject site along Charleston Boulevard. The site plan indicates the dedication of a portion of a future bus turn-out. The remaining section of the bus turn-out is located on the parcel to the west. The entire bus-turn out, will be developed when the parcel to the west is entitled or at a time required by the City or Regional Transportation Commission. A condition of approval has been added by Public Works, which requires the dedication of the bus turn-out.

- **Parking**

117 parking spaces are provided, including five being handicapped accessible, on site. The applicant is deficient by a total of 14 parking spaces based upon Title 19.10 Parking, Loading and Traffic Standards. Title 19.060.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitation on the approval of a Site Development Plan Review. Staff finds a 10% reduction in required parking acceptable due to the sites accessibility to public transportation and commercial element being pedestrian oriented.

- **Off-Premise Advertising (Billboard) Sign**

An Off-Premise Advertising (Billboard) Sign is located on the subject site. The site plan indicates the removal of the existing Off-Premise Advertising (Billboard) Sign. A condition of approval has also been added, which requires the removal of the existing Off-Premise Advertising (Billboard) Sign prior to the issuance of building permits. Removal of the Off-Premise Advertising (Billboard) Sign will allow conformance with the Las Vegas Boulevard Scenic Byway, which states that Off-Premise Advertising (Billboard) Signs are not permitted.

- **Waivers**

The applicant meets the overall intent of the Downtown Centennial Plan Requirements, with the exception of the zero-foot landscape buffer setback incorporated into the parking structure. The Downtown Centennial Plan requires all parking structures to incorporate retail into the ground floor. If ground floor retail is not provided, a 10-foot landscape setback is required. The retail was relocated from 4<sup>th</sup> Street, to the ground floor of the building located adjacent to Las Vegas Boulevard. The Waiver can be supported as the proposed retail is more appropriate adjacent to Las Vegas Boulevard.

- **Landscape Plan**

The Downtown Centennial Plan requires major north – south streets to be designed with Deglet-Noor Date Palms or similar type palms at the primary landscape element. These trees are required to be 25 feet in height and spaced at 30-foot increments. The Deglet-Noor Date Palms are required along Las Vegas Boulevard and 4<sup>th</sup> Street. The applicant is providing three Deglet-Noor Date Palms at 25 feet in height at 30-foot increments along Las Vegas Boulevard. East – west streets are required to be designed with 36-inch box shade trees at 15 to 20-foot intervals. These trees would be required along Charleston Boulevard. The applicant is providing nine, 36-inch box African Sumac trees spaced at 15-foot intervals. The landscape plan also indicates; that there is existing landscaping, which is to remain along 4<sup>th</sup> Street, which complies with Downtown Centennial Plan Streetscape Standards.

- **Elevations**

The elevations depict a four-story, 45-foot tall hotel with associated ground floor retail space. The first floor is indicated at 11 feet. The second floor is indicated at a height of 10 feet. The third floor is indicated at a height of nine feet. Finally, the fourth floor is indicated at a height of 10 feet.

The applicant is proposing to utilize pre-fabricated architectural panels painted three shades of blue. The applicant is also proposing to utilize non-reflective tinted windows and stone accents. The use of the building colors, mass and scale and overall building design furthers the goals of the 18b The Las Vegas Arts District of the Downtown Centennial Plan, which state that: “the goals of the Arts District is to encourage building design that contributes to the quality of life in an active, aesthetically considered manner.”

All signage has been indicated on the building elevations, but is not a part of the subject review. A condition of approval has been added, which requires, that all signage shall adhere to the Las Vegas Boulevard Scenic Byway Signage Overlay Standards and the Downtown Design Review Committee (DDRC).

- **Floor Plan**

The submitted floor plans depict 114 guest rooms are indicated with 117 associated parking spaces, including five handicapped accessible spaces, that are divided between both ground floor and parking structure spaces. The parking structure is located on the western portion of the site, which contains both first and second floor parking. The ground floor contains 2,964 square feet of retail space, which fronts onto the corner of Charleston Boulevard and Las Vegas Boulevard. The first floor also contains the guest check-in area, guest amenities and lobby areas. The second, third and fourth floors contain all 114 guest rooms.

## **FINDINGS**

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with the adjacent C-2 (General Commercial) zoned properties that surround the subject site. The proposed development is consistent with adjacent development in the 18b The Las Vegas Arts District within the Downtown Centennial Plan Area.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The applicant has requested a Waiver of the Downtown Centennial Plan Requirements to allow a zero-foot landscape setback where 10 feet is the minimum required adjacent to 4<sup>th</sup> Street. The Waiver can be supported as the relocation of the proposed retail space is more appropriate adjacent to Las Vegas Boulevard and Charleston Boulevard.

**3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Adequate site access is provided from Charleston Boulevard, Las Vegas Boulevard and 4<sup>th</sup> Street. Charleston Boulevard and Las Vegas Boulevard are both designated as a 100-foot Primary Arterial; while 4<sup>th</sup> Street is designated as an 80-foot Secondary Collector by the Master Plan of Streets and Highways. The proposed development will not negatively impact adjacent roadways or neighborhood traffic.

**4. Building and landscape materials are appropriate for the area and for the City;**

The building and landscape materials are appropriate for this area of the City, which is represented in the use of colors and materials used. The proposed landscaping is also harmonious and compatible with surrounding development as it complies with the Downtown Centennial Plan Streetscape requirements.

**5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The building elevations indicate an aesthetically pleasing and harmonious hotel development with associated retail. The use of building colors, mass and scale, and the overall building design furthers the goals of the 18b The Las Vegas Arts District, which encourages building designs that contribute to the character and quality of life in an active, aesthetically considered manner.

**6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

19

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 372 by City Clerk

**APPROVALS** 3

**PROTESTS** 1